

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Autolube Group LLC,) C.A. #2:13-2422-PMD
))
Plaintiff,)
))
vs.) <u>ORDER</u>
))
Delfin Group USA LLC and John Gordon,)
Individually,)
))
Defendants.)
))

This matter is before the court upon the magistrate judge's recommendation that defendant's motion to dismiss be granted. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 73.02(B)(2)(d), D.S.C..

The Court is charged with conducting a *de novo* review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is **ordered** that defendant's motion to dismiss plaintiff's Fourth Cause of Action asserting violation of 42 U.S.C. § 1981 is **GRANTED**, and that cause of action is dismissed with prejudice. Plaintiff's remaining state law causes of action are hereby dismissed without prejudice, in order that plaintiff might pursue these claims in state court.

ORDERED, that the magistrate judge's report and recommendation is adopted as the order of this Court.

AND IT IS SO ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

October 29, 2014
Charleston, South Carolina